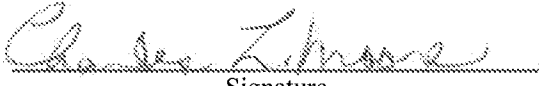


PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) 014682-000015
	Application Number 10/711,954	Filed October 15, 2004
	First Named Inventor Fonda J. Daniels et al.	
	Art Unit 2167	Examiner Mariela D. Reyes
	<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p>I am the</p> <div style="display: flex; justify-content: space-between;"><div style="width: 45%;"><p><input type="checkbox"/> applicant/inventor.</p><p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.7.1. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p><p><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>33,742</u></p><p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____</p></div><div style="width: 50%; text-align: center;"><div style="margin-bottom: 10px;"> _____ Signature</div><div style="margin-bottom: 10px;">Charles L. Moore _____ Typed or printed name</div><div style="margin-bottom: 10px;">919-286-8000 _____ Telephone number</div><div>January 29, 2008 _____ Date</div></div></div> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>	

☐ *Total of 1 forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed applicable form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Fonda J. Daniels et al.)	Confirmation # 5953
)	
Application No. 10/711,954)	Examiner: Mariela D. Reyes
)	
Filed: October 15, 2004)	Group Art Unit: 2167
)	
Title: METHOD AND SYSTEM TO IDENTIFY)	
A PREVIOUSLY VISITED UNIVERSAL)	
RESOURCE LOCATOR (URL) IN)	
RESULTS FROM A SEARCH)	

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REMARKS IN SUPPORT OF PRE-APPEAL BRIEF REQUEST FOR REVIEW

Applicants submit that the current and preceding Office Actions issued by the Examiner in the present application contain clear errors in the Examiner's rejections as well as omissions of one or more essential elements needed for a *prima facie* rejection under 35 U.S.C. § 102 and/or 35 U.S.C. § 103.

The present invention is related to identifying previously visited URLs in results from a search. A URL personal databook collection object is loaded in response to receiving the results of a search. The URL personal databook collection object comprises URL references that have been previously visited by a user and selectively saved in the URL personal databook collection object by the user. A comment, associated with each URL reference, may also be saved by the user to indicate a reason why each URL reference was stored in the URL personal databook collection object. All search results that satisfy the search terms are presented, including both any URL references saved by the user in the URL personal databook collection object and other URLs that have not been saved in the URL personal databook collection object. URLs in the search results that match URLs in the URL personal databook collection object are identified or highlighted in the search results.

Claims 1-21 and 28-33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Barrett, et al (U.S. Patent 5,727,129) in view of Yamada (U.S. Pub. 2003/0046290). Claims 16-33 were cancelled in an Amendment filed January 28, 2008, or in an earlier filed amendment. Accordingly, Claims 1-15 remain pending in the present application.

Claim 1 recites:

“presenting all search results that satisfy the at least one search term including any URL references that have been previously visited by the user and selectively saved in the URL personal databook collection object by the user and including any URL references that satisfy the at least one search term but have not been previously visited by the user and therefore have not been saved in the URL personal databook collection object;

The Final Office Action Dated as mailed 11/16/2007 cited Column 3, Line 63-67 in rejecting these features of Claim 1. Barrett beginning in Column 3 at Line 63 and continuing in Column 4 through Line 12 discloses:

“The system highlights the hyperlinks of the predicted hyperlinks, and pre-fetches them, so that if a user selects a predicted hyperlink, the download process is at least partially underway already.

The system makes the prediction of which link is likely to be of interest based on a variety of factors, including the identity of the user. Facility is provided for entering a ‘goal’, i.e., type of document (a paper, a homepage, software, academic course information, etc.), author’s name, subject matter, etc.

As part of the operating process, the user performs a training process, which is analogous to that used with neural networks. That is, a set of training search sequences were used, to develop a set of statistical results regarding what links users were likely to select from a given page. Several such methods are presented.”

Accordingly, Barrett teaches predicting and highlighting which hyperlinks are likely to be of interest to a user performing a purposeful search based on a variety of factors, such as identity of the user, an entered goal, type of document, author’s name, subject matter, etc. as recited above from Barrett. Applicant respectfully submits that Barrett does not teach or suggest a personal databook collection that includes URLs of previously visited websites that have been selectively saved by the user along with a comment why the URL was saved in the personal databook collection as provided by the embodiment of the present invention recited in claim 1.

The Examiner admits of Page 3 of the Final Office Action that Barrett does not teach that the URL personal databook collection object comprises URL references that have been previously visited by a user and selectively saved in the URL personal databook collection

object by the user and that a comment, associated with each URL reference, is entered and saved by the user to indicate a reason why each URL reference is stored in the URL personal databook collection object. Yamada was cited by the Examiner for teaching this feature of Claim 1. Yamada teaches a bookmark managing system which includes a feature for storing a comment in association with the bookmarked URL. As previously discussed, Barrett teaches predicting hyperlinks that may be of interest to a user and pre-fetching these predicted hyperlinks so that the download process is at least partially underway as recited in Barrett Column 3, Lines 64-67 as quoted above. Accordingly, Barrett has no use for bookmarks or any comments associated with the bookmarks since Barrett predicts hyperlinks of interest to the user based on other factors. Therefore, Applicant respectfully submits that a person of ordinary skill in the art would not be motivated to combine the teachings of Barrett and Yamada.

Even if Yamada is combined with Barrett, these two documents taken together still do not teach or suggest presenting search results including URL references previously visited by the user and selectively saved in the URL personal databook collection object as well as URL references that satisfy the at least one search term but have not been previously visited by the user and therefore are not saved in the URL personal databook collection object as provided by the embodiment of the present invention as recited in Claim 1.

Claim 1 also recites:

“identifying any matches between results from the search and any URL object references of previously visited URLs in the URL personal databook collection object.”

Applicant respectfully submits that neither Barrett nor Yamada teach or suggest these features of claim 1. As previously discussed, Barrett only teaches displaying predicted hyperlinks of interest to a user and Barrett and Yamada combined do not teach or suggest identifying matches in the search results of URL object references also in the URL personal databook collection object which have been previously visited and saved along with a comment by the user as defined in Claim 1.

For all of the reasons discussed above, Claim 1 is respectfully submitted to be patentably distinguishable over Barrett and Yamada, and reconsideration and withdrawal of the 35 USC § 103 rejection of Claim 1 is respectfully requested.

Claim 2 recites: “. . . comparing the results from the search to any URL object

references in the URL personal databook collection object to identify any matches.” In contrast, Barrett in Column 7, Lines 37-40 in Column 7, Lines 57-61 (cited in rejecting Claim 2) teaches a profile that contains a history of all past visitations or downloads of a Web page and does not only contain Web pages that have been selectively saved by the user (emphasis added). Applicant respectfully submits that there is no teaching or suggestion in Barrett of a URL personal databook collection object including URL references that have been previously visited and selectively saved by the user in the URL personal databook collection object as provided by Claim 1 and as quoted above. Further, neither Barrett nor Yamada teach or suggest comparing the results from the search to any URL object references in the URL personal databook collection object to identify any matches as provided by the embodiment of the present invention as recited in Claim 2.

Claim 5 recites:

“ . . . presenting the saved comment associated with any match only in response to positioning a computer pointing device on a selected visually identified match in the results from the search, wherein the saved comment is presented as a balloon from the associated match on a page displaying the search results.”

The Examiner cited Column 8, Lines 56-57 and Lines 63-65 of Barrett in rejecting Claim 5. Column 8, lines 54-57 of Barrett teaches that icons, descriptive text, etc. may be displayed alternatively to the URLs. There is no teaching or suggestion in Barrett that the URLs or alternatively, icons, descriptive text, etc. are hidden or other than always being displayed. Additionally, Barrett does not teach or suggest presenting the saved comment associated with any match only in response to positioning a computer pointing device on a selected visually identified match in the results from the search as provided by Claim 5.

Further, Barrett in Column 8, Lines 49-54 and Lines 62-65 of Barrett (cited in rejecting Claim 5) teaches displaying other URLs from which the currently displayed URL were accessed in the past and that the URLs are preferably hyperlinks to provide easy access to the other pages. Applicant respectfully submits that presenting URLs is distinguishable from presenting a comment associated with any matches in a URL personal databook collection object as provided by Claim 5. Additionally, the URLs of Barrett are always displayed. Therefore, Barrett does not teach or suggest the features of claim 5.

Further, Barrett does teach or suggest that the saved comment is presented as a balloon from the associated match on a page displaying the search results. As clearly shown

in Figure 6 of Barrett, URLs are presented not comments associated with the URLs; the URLs are always presented and are not presented only in response to a computer pointing device being positioned over the URL; and the URLs in Figure 6 of Barrett are not presented as a balloon from an associated match in displayed search results as provided by Claim 5.

Further, claims 2 and 5 as well as claims 3-4 and 6-10 depend either directly or indirectly from independent Claim 1, and by virtue of that dependency include all of the features of independent Claim 1. Accordingly, these dependent claims are respectfully submitted to be patentable over Barrett and Yamada and allowance of these claims is respectfully solicited.

Independent Claim 11 recites similar features to independent Claim 1. Therefore, independent Claim 11 is respectfully submitted to be patentably distinguishable over Barrett and Yamada for the same reasons as discussed with respect to independent Claim 1.

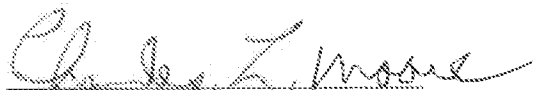
Claims 12-15 recite additional features which further patentably distinguish over Barrett and Yamada. For example, Claim 13 recites similar features to dependent Claim 5 discussed above. Additionally, Claims 12-15 depend either directly or indirectly from independent Claim 11, and by virtue of that dependency, include all of the features of independent Claim 11. Therefore, Claims 12-15 are also respectfully submitted to be patentable over Barrett and Yamada and allowance of these claims is respectfully requested.

As the Examiner's rejections have been shown to be in clear error and lack essential elements of a *prima facie* obviousness rejection, Applicants respectfully request that the claims of the present application be allowed to issue.

Respectfully submitted,

Date: January 29, 2008

By:



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